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**IN THE CLAIMS:**

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1-6. (Cancelled)

7. (Previously Presented) A download system including (a) a receiving apparatus for receiving and executing a program and (b) a transmitting apparatus for transmitting the program to the receiving apparatus,

the transmitting apparatus comprising:

program holding means for holding one or more programs and identifications thereof;

check script holding means for holding one or more check scripts which correspond to the one or more programs and are each used to check whether the receiving apparatus has either of a device function and an embedded-program function that is necessary for an execution of a corresponding program;

request receiving means for receiving either a check script request or a program request from the receiving apparatus; and

transmitting means for either (a) reading from the check script holding means a check script corresponding to an identification contained in the received check script request and transmitting the read check script to the receiving apparatus, or (b) reading from the program holding means a program corresponding to an identification contained in the received program request, and transmitting the read program to the receiving apparatus, and

the receiving apparatus comprising:

first request transmitting means for transmitting to the transmitting apparatus the check script request that contains the identification of a download-target program;

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check script receiving means for receiving the check script sent from the transmitting apparatus in response to the check script request;

judging means for judging from a result of an execution of the received check script whether the receiving apparatus can execute the download-target program;

second request transmitting means for, when the judging means judges that the receiving apparatus can execute the download-target program, transmitting the program request containing the identification of the download-target program; and

program receiving means for receiving a program that is sent from the transmitting apparatus in response to the program request.

8-11. (Cancelled)

12. (Previously Presented) A receiving apparatus for receiving and executing a program in a download system which also includes a transmitting apparatus for transmitting the program to the receiving apparatus, the receiving apparatus comprising:

first request transmitting means for transmitting to the transmitting apparatus a check script request that contains an identification of a download-target program;

check script receiving means for receiving a check script sent from the transmitting apparatus in response to the check script request;

judging means for judging from a result of an execution of the received check script whether the receiving apparatus can execute the download-target program;

second request transmitting means for, when the judging means judges that the receiving apparatus can execute the download-target program, transmitting the program request containing the identification of the download-target program; and

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program receiving means for receiving a program that is sent from the transmitting apparatus in response to the program request.

13-20. (Cancelled)

21. (Previously Presented) A transmitting apparatus that transmits a program to a receiving apparatus that receives and executes the program, the transmitting apparatus and the receiving apparatus being included in a download system, the transmitting apparatus comprising:

program holding means for holding one or more programs and identifications thereof;

check script holding means for holding one or more check scripts which correspond to the one or more programs and are each used to check whether the receiving apparatus has either of a device function and an embedded-program function that is necessary for an execution of a corresponding program;

request receiving means for receiving either a check script request or a program request from the receiving apparatus; and

transmitting means for either (a) reading from the check script holding means a check script corresponding to an identification contained in the received check script request and transmitting the read check script to the receiving apparatus, or (b) reading from the program holding means a program corresponding to an identification contained in the received program request, and transmitting the read program to the receiving apparatus.

22. (Cancelled)

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23. (New) An audio visual download apparatus for downloading on demand programs having audio visual content from a transmitting apparatus to a plurality of receiving apparatuses that can execute the audio visual content, comprising:

a receiving apparatus having a request transmitting unit that transmits requests for audio visual programs including a program identifier and information about the resources available to the receiving apparatus for executing the audio visual content;

a transmit apparatus having;

a request receiving unit that receives requests from the request transmitting unit;

a program library that contains a plurality of audio visual programs;

a check script holding means that holds a plurality of scripts for checking the resources available;

a selecting unit operatively connected to the check script holding means to compare the contents of a request received by the request receiving unit with the audio visual programs in the program library and if there is not enough resources available to execute the audio visual program corresponding to the program identifier, automatically generates a listing of compatible audio visual programs that can be executed with the resources and a sublisting of the choices of audio video characteristics available for each audio visual program;

a transmitting unit that transmits the listing and sublisting of audiovisual programs selected by the selecting unit to the receiving apparatus;

a user interface unit; and

means for displaying the listing and sublisting of audiovisual programs received at the receiving apparatus wherein a user may select, with the user interface unit, one of the audio visual programs in the listing of audiovisual programs for download and send the related

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audio visual program to the transmit apparatus to enable downloading of the selected audio visual programs for execution by the receiving apparatus.

24. (New) A method for downloading television programs to a set top box, comprising:  
generating resource information about the set top box environment;  
sending a download request to a cable station comprising the resource information and a television program identifier;  
reading program attributes of a television program corresponding to the television program identifier;  
comparing the resource information with the program attributes to determine if the set top box environment has adequate resources to receive the television program;  
downloading the television program if the set top box has adequate resources to receive and execute the television program.

25. (New) The method for downloading television programs to a set top box of claim 24 wherein the resource information includes information about the available memory.

26. (New) The method for downloading television programs to a set top box of claim 24 wherein the resource information includes information about operating system tasks to be executed.

27. (New) The method for downloading television programs to a set top box of claim 24, wherein the download request further comprises a set top box serial number.

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28. (New) The method for downloading television programs to a set top box of claim 24, further comprising sending a message from the cable station to the set top box if adequate resources are not available.

29. (New) The method for downloading television programs to a set top box of claim 28, further comprising displaying the message on a television set or an interface unit.

30. (New) The method for downloading television programs to a set top box of claim 24, wherein the program attributes include program memory requirements.

31. (New) The method for downloading television programs to a set top box of claim 24, wherein the program attributes include operating system requirements.

32. (New) The method for downloading television programs to a set top box of claim 24, further comprising receiving the television program identifier from an interface unit.

33. (New) A method for downloading television programs to a set top box, comprising:

generating resource information about the set top box environment;

sending a download request to a cable station comprising the resource information and a request identifier;

reading program attributes of television programs that correspond to request identifier at the cable station;

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comparing the resource information with the program attributes to identify television programs that can be viewed in the set top environment.

sending a list of viewable television programs to the set top box.

34. (New) The method for downloading television programs to a set top box of claim 33 wherein the request identifier includes a television genre.

35. (New) The method for downloading television programs to a set top box of claim 33 wherein the resource information includes an operating system or a memory availability information.

36. (New) The method for downloading television programs to a set top box of claim 33 wherein the download request further comprises the set top box serial number.

37. (New) The method for downloading television programs to a set top box of claim 33 further comprising:

presenting the list of viewable television programs on a television or an interface unit;

selecting a television program from the list;

sending a television program identifier to the cable station;

downloading the television program.

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38. (New) The method for downloading television programs to a set top box of claim  
37 wherein the television program includes supplemental program information.

39. (New) The method for downloading television programs wherein the list of  
viewable television programs includes the resolution or quality of the television programs.

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